

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated August 11, 2004, claims 1-35 are pending in the application. The allowability of claims 5, 9, 10, 19, and 28 if rewritten in independent form is acknowledged. Applicants respectfully request the Examiner to reconsider the rejections.

The specification stands objected to for not having provided the related application numbers. The applications were simultaneously filed and the application numbers have now been received. This paragraph has been amended above and is believed to overcome this objection.

The reference numeral "171" has been removed from Fig. 5A. A corrected version of Fig. 5A is provided with the reference numeral 172 therein. The specification has also been amended to refer to Figs. 5A and 5B.

The information disclosure statement is objected to because it does not comply with 37 C.F.R. 1.98(a)(3). Applicants have provided herein an English language abstract of the three cited references.

Claims 1, 2, 4, 6-8, 11, 13-16, 18, 20-23, 25-27, 29-32, 34, and 35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Ritz* (2002/0060103 A1) in view of *Yone* (2003/0172757 A1).

Independent claim 1 has two steps for controlling an automotive vehicle. The first step states "generating a reverse direction signal corresponding to a reverse direction of the vehicle." The second step is "applying brake-steer in response to the reverse direction signal."

The Examiner has cited the *Ritz* reference for brake-steer of a vehicle. Applicants agree that brake-steer is set forth in the *Ritz* reference. Applicants also admit that the claim recites that the control system monitors the status of the transmission and/or the clutch. However, as is taught in the specification a neutral position of the transmission may be used to determine a need for steering support. The Examiner admits that no teaching or suggestion is provided for activating brake-steer in response to a reverse direction signal. The *Yone* reference is set forth for providing a reverse direction signal. Applicants respectfully submit that this is a hindsight reconstruction of the present invention. First, the *Yone* reference has nothing to do with brake-steer. Rather, the *Yone* reference is a transmission operating apparatus. No teaching or suggestion is provided for brake-steering in the *Yone* reference. That is, the *Yone* reference also does not teach applying brake-steer in response to the reverse direction signal. The *Yone* reference merely provides a reverse direction signal. Thus, there is no teaching or suggestion

in either of the references for "applying brake-steer in response to the reverse direction signal." Applicants therefore respectfully request the Examiner for reconsideration of claim 1.

Likewise, claims 2, 4, 6-8, 11, and 13-14 are also dependent upon claim 1.

Claim 15 recites a controller programmed to apply brake-steer in response to the reverse direction signal. This is similar to the limitation set forth in claim 1 above. Applicants respectfully believe that claim 15 is also allowable for the same reasons set forth above.

Likewise, dependent claims 16, 18, 20-23, and 25-26 are also believed to be allowable for the same reasons set forth above.

Claim 27 is an independent claim that recites a shift lever having a reverse position generating a reverse position signal. A controller is coupled to the shift lever and applies brake-steer in response to the reverse position signal. This is similar to the limitations set forth above with respect to claims 1 and 15. Applicants therefore respectfully believe that claim 27 is also allowable for the same reasons set forth above.

Likewise, claims 29-32 and 34-35 are dependent upon claim 27 and are believed to be allowable for the same reasons set forth above.

Claims 3 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Ritz, Yone* and in further view of *Kakinami* (2001/0026317 A1).

Claims 3 and 17 recite that a push button is used for generating the reverse direction signal. Applicants respectfully believe that the shift reverse switch 3 illustrated in Fig. 3 is not a push button. No teaching or suggestion can be found in the *Kakinami* reference for a push button. Applicants respectfully believe that the switch is a shift lever switch that is activated from the shift lever of the vehicle. Therefore, applicants respectfully submit that no push button switch is illustrated. Further, no teaching or suggestion is provided for the missing limitations described above with respect to the *Yone* and *Ritz* references. The *Kakinami* reference does not teach or suggest the use of activating brake-steer in response to a reverse signal. Applicants therefore respectfully request the Examiner to reconsider the rejection of claims 3 and 17.

Claims 12, 24 and 33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Ritz, Yone* and in further view of *Takagi* (2003/0080877 A1).

Claims 12, 24 and 33 each recite that brake-steer is applied in response to a reverse direction signal and a yaw rate. The *Takagi* reference does teach a yaw rate sensor 30. However, no teaching or suggestion is provided for generating brake-steer in the *Takagi* reference. Therefore, no teaching or suggestion is provided in the *Takagi* reference for

providing brake-steer in response to a reverse direction signal and a yaw rate signal. Applicants therefore respectfully request the Examiner to reconsider the rejection of claims 12, 24 and 33.

In light of the above remarks, applicants submit that all objections are now overcome. Applicants respectfully submit that the application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments the Examiner is respectfully requested to call the undersigned attorney. Please charge any fees required in the filing of this amendment to Deposit Account 06-1510.

Respectfully submitted,



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